

## **TITLE 4. STATE ATHLETIC COMMISSION**

NOTICE IS HEREBY GIVEN that the State Athletic Commission (hereinafter "Commission") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Van Nuys State Building located at 6150 Van Nuys Blvd., Van Nuys, California 91401, at 10:00 a.m., on February 10, 2009. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Commission at its office not later than 5:00 p.m. on February 2, 2009 or must be received by the Commission at the hearing. The Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 18611 and 18763 of the Business and Professions Code, and to implement, interpret or make specific Sections 18640, 18642, 18710, 18714, 18724, 18725, 18765, 18842, and 18843 of said Code, the Commission is considering changes to Division 2 of Title 4 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

#### 1. Amend Section 406.

Existing regulation states the professional boxer shall not be eligible for pension benefits until he or she reaches the age of 55. Professional boxers have a much shorter career span than traditional individuals involved in a retirement plan. This proposal would reduce the qualifying age of retired professional boxers from 55 to 50 in order to receive distributions from the plan.

### FISCAL IMPACT ESTIMATES

#### Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The amendment of Section 406 is not expected to have any fiscal impact as it simply reduces the qualifying age for professional boxers from 55 to 50. The proposed regulatory change could have a beneficial economic effect on an individual level for the retiree.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

After a review of the proposed changes to the existing rules, the Commission has made an initial determination that the proposed regulatory action would not have any significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

and

The following studies/relevant data were relied upon in making the above determination:  
None

Impact on Jobs/New Businesses:

The Commission has determined that this regulatory proposal would not have any significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulatory action. The proposal lowers the qualifying age of a professional boxer from age 55 to age 50 thus allowing the athlete to receive his or her pension distribution at an earlier age.

Effect on Housing Costs: None

#### EFFECT ON SMALL BUSINESS

The Commission has determined that the proposed regulatory change would not have an impact on small businesses that are operating in the State of California as the reduction in retirement age from 55 to 50 affects individuals strictly on a personal level in determining their individual eligibility to qualify for pension benefits.

#### CONSIDERATION OF ALTERNATIVES

The Commission must determine that no alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the actions are proposed or would be as effective as and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

#### INITIAL STATEMENT OF REASONS AND INFORMATION

The Commission has prepared an initial statement of the reasons for the proposed action and has available all of the information upon which the proposal is based.

#### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California State Athletic Commission at 2005 Evergreen Street, Suite 2010, Sacramento, California 95815.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file which is available for public inspection by contacting the person named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

#### CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Bill Douglas
Address:	2005 Evergreen Street, Suite 2010 Sacramento, CA 95815
Telephone No.:	(916) 263-2195
Fax No.:	(916) 263-2197
E-Mail Address:	william_douglas@dca.ca.gov

The backup contact person is:

Name:	Sal Barajas
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Website Access: Materials regarding this proposal can be found at [www.dca.ca.gov/csac](http://www.dca.ca.gov/csac).